

REMARKS

0This is in response to the Office Action dated April 17, 2006. In view of the following remarks, the Examiner is respectfully requested to reconsider the rejections set forth in the Office Action mailed April 17, 2006.

In item 3 of the Office Action (pages 2-3) claims 18, 21, 22, 24, 26, 29, 30 and 32 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yamane et al. (US Patent Publication No. 2005/0141579). This rejection should be withdrawn because the Yamane reference was filed on November 4, 2004 which is after the filing date, i.e. December 10, 2003, of the present application. Accordingly, the Yamane reference is not available as prior art against the present application.

Further, in item 5 of the Office Action (page 3) claims 18-22, 29 and 30 are rejected as being unpatentable over Ho et al. (USPN 6,897,410) in view of Yamazaki et al. (USPN 6,142,356). However, the date of invention of the present application is prior to the effective date of the Ho reference.

In order to establish an earlier date of invention, a declaration under Rule 131 is submitted herewith. Note that the declaration establishes a conception of the invention prior to the effective date of the Ho reference coupled with diligence in connection with the preparation and filing of the present U.S. application. Accordingly, it is submitted that the Ho reference is not available as prior art against the present application, and therefore the Examiner is requested to withdraw all rejections that rely on the Ho reference. Note that the Rule 131 declaration is filed at this time because the Ho

reference was cited and applied by the Examiner for the first time in the previous Office Action.

The remaining rejection is set forth on page 2 of the Office Action. In particular, claims 18, 20, 21, 26 and 29 are rejected under 35 U.S.C. § 102(b) as being anticipated by Matsushita (JP 2002-217480). The Examiner indicates that "Matsushita reference teaches a method of mounting a semi-conductor component by heating the submount on the heating table and positioning the component which is heated by a collet on the submount with pressure. . Pressure is applied after heating is stopped."

However, claim 18 requires pressure bonding the component on the submount with the collet and terminating the heating operation while the collet pressure bonds the semiconductor laser component to the submount. The pressure bonding operation is carried out so as to substantially prevent transfer of heat from the semiconductor laser component to the collet. Preventing transfer of heat to collet would not be achieved in the Matsushita process.

Clearly, there is nothing in the Matsushita reference that suggests that the heating operation is terminated while the collet pressure bonds the semiconductor laser component to the submount. Accordingly, it is submitted that the Matsushita reference does not disclose each and every limitation of claim 18, and therefore cannot anticipate claim 18 under 35 U.S.C. § 102(b).

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

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